

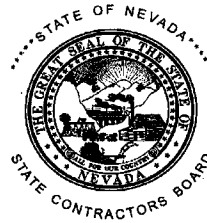
BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

Jan B. Leggett, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Kent Lay
Guy M. Wells



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2310 Corporate Circle
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STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

February 17, 2016

CALL TO ORDER:

Noah Allison, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, February 17, 2016, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

ADMINISTRATIVE LAW JUDGE:

Mr. David Brown, Esq.

STAFF MEMBERS PRESENT:

Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq.

Mr. Rozario stated the agenda was posted in compliance with the open meeting law on February 10, 2016, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: NOAH ALLISON, ESQ.

1. DISCIPLINARY HEARING: (Continued from November 18, 2015 and December 16, 2015)

RAYMOND MATHEW ELLWANGER, OWNER, dba HOME INNOVATIONS, License No. 67302

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 2 – Three (3) estimates provided by Greg Walski.

ALJ Allison awarded restitution to Greg Walski in the amount of \$21,666.26. License number 67302, Raymond Mathew Ellwanger, Owner, dba Home Innovations was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

2. DISCIPLINARY HEARING: (Continued from January 20, 2016)

ROD ARRON KOPREK, OWNER, dba ROD KOPREK ROOFING, License No. 50820

Licensee was present but not represented by counsel at the hearing.

ALJ Allison dismissed the First Cause of Action.

ADMINISTRATIVE LAW JUDGE: DAVID BROWN, ESQ.

3. DISCIPLINARY HEARING:

MOLD DOCTOR, LLC, License No. 68357

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint received January 19, 2016.

Upon the Stipulation of the parties, ALJ Brown found Respondent guilty of one (1) violation NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; and one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine \$100.00 for the Second Cause of Action; a fine of \$1,000.00 for the Third Cause of Action for total fines of \$1,600.00 and investigative costs of \$750.00. All fines and investigative costs are to be paid within sixty (60) days of the February 17, 2016 hearing or license number 68357, Mold Doctor, LLC shall be suspended.

4. DISCIPLINARY HEARING:

LARRY SILECCHIO, OWNER, dba SILECCHIO CONSTRUCTION, License No. 46112

DISCOUNT BUILDERS, LLC, dba DISCOUNT BUILDERS, License No. 79779

DESERT VIEW REMODELERS, LLC, dba UNIVERSAL WINDOWS DIRECT, License No. 77650

PLATINUM REMODELING, INC., dba L. S. REMODELING, License No. 80197

Licensee Silecchio Construction was present but was not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated January 22, 2016.

ALJ Brown found Respondent Silecchio Construction guilty of one (1) violation NRS 624.3017(1) substandard workmanship and one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct. The Third Cause of Action was

dismissed upon motion made by Board prosecutor Allison. Respondent Silecchio Construction was assessed a minimal fine of \$250.00 for the First Cause of Action in part due to the Board's order to pay a third party contractor to repair, and a lesser fine of \$500.00 for the Second Cause of Action based in part on Respondent's repeated attempts to repair, for total fines of \$750.00 and investigative costs of \$2,020.00. Respondent Silecchio Construction shall hire a properly licensed contractor to properly integrate the roof and patio cover at the Cassidy residence within thirty (30) days of the February 17, 2016 hearing. The matter is set for a status check in sixty (60) days, which will be vacated if evidence is provided to the Board that the third party repair has been completed. If Respondent Silecchio Construction fails to complete the repairs within thirty (30) days, Ms. Cassidy may hire a properly licensed contractor and apply to the Residential Recovery Fund for restitution, in which case, Respondent Silecchio Construction will be responsible for reimbursement of the same. All fines and investigative costs are to be paid within thirty (30) days of the February 17, 2016 hearing or license number 46112, Larry A. Silecchio, Owner, dba Silecchio Construction shall be suspended.

5. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. BRYAN CHARLES BASTASINI, OWNER, dba NARWHAL CONSTRUCTORS,

License Nos. 54140, 54139, 61451

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's e-mail to the Board dated November 27, 2015.

ALJ Brown found Respondent Bryan Charles Bastasini, Owner, dba Narwhal Constructors, license numbers 54140, 54139 and 61451 in default and adopted as the Findings of Fact and Conclusion of Law those allegations set forth in the Administrative complaint. Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3016(5), as set forth in NRS 624.600(1)(a)(b) failure to provide the required notices; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.3016(3) false statement in or relating to the recording of a notice of lien pursuant to NRS 108.226; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 each for the First, Seventh and Eighth Cause of Action; a fine of \$500.00 each for the Second, Sixth and Ninth Causes of Action; a fine of \$100.00 for the Third Cause of Action; a fine of \$50.00 for the Fourth Cause of Action; a fine of \$250.00 for the Fifth Cause of Action for total fines of \$4,900.00 and investigative costs of \$3,732.00. License numbers 54140, 54139 and 61451, Bryan Charles Bastasini, Owner, dba Narwhal Constructors were revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

b. S. E. S. ROOFING, INC., License No. 75500

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

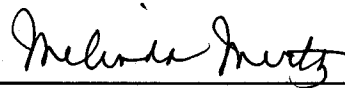
Exhibit 1 – Board Hearing File.

ALJ Brown found Respondent S. E. S. Roofing, Inc., license number 75500 in default and adopted as the Findings of Fact and Conclusion of Law those allegations set forth in the Administrative complaint. Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.302(7) failure to comply with an order of the Board; one (1) violation of NRS 624.302(1)(a) contracting if the contractor's license has been suspended or revoked pursuant to NRS 624.300; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 each for the First, Third and Fourth Causes of Action; a fine of \$500.00 for the Second Cause of Action for total fines of \$3,500.00 and investigative costs of \$1,972.00. License number 75500, S. E. S. Roofing, Inc. was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Brown at 10:27 a.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer

David Brown, Esq., Administrative Law Judge